

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America
v.
Brandon Deshawn Johnson

Case: 2:21-mj-30318
Judge: Unassigned,
Filed: 06-28-2021 At 05:13 PM
CMP USA V JOHNSON (kcm)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 24, 2021 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

Code Section
18 U.S.C. § 922(g)(1)

Offense Description
Felon in possession of a firearm

This criminal complaint is based on these facts:
see attached affidavit.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: June 28, 2021

City and state: Detroit, Michigan


Complainant's signature

Derrick L. Bird, Special Agent (ATF)
Printed name and title



Judge's signature

Hon. Curtis Ivy, Jr., United States Magistrate Judge
Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND
ARREST WARRANT**

I, Special Agent Derrick L. Bird, being first duly sworn, hereby
depose and state the following:

INTRODUCTION AND AGENT BACKGROUND

1. I have been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) since March 2016. I am currently assigned to Group VII in the Detroit Field Division. I have conducted or participated in numerous criminal investigations including firearms offenses, illegal drug distribution, and organized crime/criminal street gangs. Prior to being employed as a Special Agent, I was a Correction Officer with the Washtenaw County Sheriff's Office for over four years.

2. I am a graduate of the Criminal Investigator Training Program and the ATF Special Agent Basic Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. I graduated from Auburn University and earned a Bachelor's Degree in Sociology as well as a Masters of Arts Degree in Higher Education Administration.

3. The information contained in this affidavit is based on my personal knowledge and observations of this investigation, law enforcement reports that I have reviewed, communications with others who have personal knowledge of the events and circumstances described in this affidavit, and information gained through my training and experience.

4. Because this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included each and every fact known to law enforcement concerning this investigation.

5. This affidavit is in support of a complaint and arrest warrant. It provides information necessary to establish probable cause that Brandon Deshawn JOHNSON (DOB XX/XX/1994) has violated Title 18, United States Code, Section 922(g)(1), possession of a firearm by a convicted felon.

PROBABLE CAUSE

6. On May 24, 2021, Detroit Police Officers were on patrol in the area of Burns and Peter Hunt Street in Detroit. Officers stopped a Chevy Malibu bearing Michigan license plate number EJA3531 for being parked in the middle of the street blocking traffic. Officers approached the car

and interacted with the driver (JOHNSON) and the front passenger. JOHNSON was unable to provide a valid driver's license. A check of the Law Enforcement Information Network (LEIN) revealed that JOHNSON had several traffic warrants for his arrest and that the vehicle was uninsured. Officers removed JOHNSON and the passenger from the vehicle.

7. Based on the violations, officers conducted an inventory search of the car before it was towed. During the search, an officer located a loaded 9mm caliber Kel Tec pistol with an extended magazine concealed inside the plastic molding surrounding the gear shifter. Officers also recovered JOHNSON's mail and silver iPhone during the search. JOHNSON denied ownership of the handgun. The passenger, who was on parole, also denied ownership of the handgun.

8. On May 25, 2021, Officers obtained a search warrant for JOHNSON's silver iPhone. Contained therein, officers reviewed photographs and videos dated from April and May 2021. JOHNSON can be seen in several photographs and videos in possession of firearms and inside the red Chevrolet Malibu.

9. JOHNSON has the following felony convictions:

- a. 2013, Weapons – Carrying Concealed, 6th Circuit Court;
- b. 2017, Police Officer – Fleeing – Third Degree, 3rd Circuit Court;
- c. 2017, Weapons – Firearms – Possession by a Felon, 6th Circuit Court;
- d. 2017, Larceny from Person – 6th Circuit Court.

10. These crimes are all felonies punishable by more than one year of imprisonment. Probable cause exists that JOHNSON was aware that he was a convicted felon at the time he possessed the Kel Tec pistol.

11. On June 24, 2021, I made contact with ATF Interstate Nexus Expert and Special Agent Mark Davis regarding the status of the Kel Tec handgun. Based on the description provided, without conducting a physical examination, Special Agent Davis advised that the Kel Tec pistol is a firearm as defined under 18 U.S.C. § 921. Further, he advised that it was manufactured outside of the state of Michigan after 1898 and therefore had traveled in and affected interstate commerce.

CONCLUSION

12. Based on the above investigation, probable cause exists that Brandon Deshawn JOHNSON, a convicted felon, did knowingly possess

a firearm that had previously traveled in and affected interstate and/or foreign commerce, in violation of 18 U.S.C. § 922(g)(1).

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'D. Bird', written over a horizontal line.

Derrick L. Bird, Special Agent
Bureau of Alcohol, Tobacco,
Firearms, and Explosives

Sworn to before me and signed in my
presence and/or by reliable electronic means.

A handwritten signature in black ink, appearing to read 'C. Ivy', written over a horizontal line.

Hon. Curtis Ivy, Jr.
United States Magistrate Judge

Date: June 28, 2021